

To: Owens, Kim[Owens.Kim@epa.gov]
From: Iani, L. John (Perkins Coie)
Sent: Wed 2/4/2015 9:24:58 PM
Subject: RE: Geotech Federal Register notice

This is the language that appears in the FR notice link. But I think it read differently when first published on Jan. 29. I think it did not mention the issuance date. I must be imagining things but I think the highlighted sentence was not there. No matter. Sorry for the goose chase.

The issuance date of the Geotechnical NPDES General Permit is the date of publication of this notice. The Geotechnical General Permit shall become effective on March 2, 2015. Operators must submit a Notice of Intent (NOI) to discharge at least 90 days prior to initiation of discharges.

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E. JLani@perkinscoie.com

From: Owens, Kim [mailto:Owens.Kim@epa.gov]
Sent: Wednesday, February 04, 2015 12:55 PM
To: Iani, L. John (Perkins Coie)
Subject: RE: Geotech Federal Register notice

Not sure what you mean by initial notice...? (Any notice on the drafts would not have had an issuance date because we'd not issued a final decision).

From: Iani, L. John (Perkins Coie) [mailto:JLani@perkinscoie.com]
Sent: Wednesday, February 04, 2015 12:40 PM
To: Owens, Kim
Subject: RE: Geotech Federal Register notice

Thanks Kim. It does answer my question. I was certain that the initial notice did not contain the issuance date reference and only the effective date of the permit.

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E. JLani@perkinscoie.com

From: Owens, Kim [<mailto:Owens.Kim@epa.gov>]

Sent: Wednesday, February 04, 2015 12:02 PM

To: Iani, L. John (Perkins Coie)

Subject: Geotech Federal Register notice

Hello John,

I received your voicemail. Assuming I understood your question, the Federal Register notice is correct and has not been revised. The language is similar to our other general permit notices. The "issuance date" is the date of the Federal Register notice, January 29, 2015. By regulation, the "effective date" for a permit decision is 30 days after the issuance date or a later effective date specified in the notice – here March 2, 2015. See 40 CFR 122.28(b)(1), 124.15. I hope this answers your question. - Kim

Kimberly A. Owens

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